

***A REGULAR MEETING OF THE FAUQUIER COUNTY BOARD OF
SUPERVISORS WAS HELD NOVEMBER 6, 2000 AT 1:00 P.M. IN
WARRENTON, VIRGINIA***

P R E S E N T Mr. Larry L. Weeks, Chairman; Mr. Joe Winkelmann,
Vice Chairman; Mr. Harry Atherton; Ms. Sharon
McCamy; Mr. Raymond Graham; Mr. G. Robert
Lee, County Administrator; Mr. Paul S. McCulla,
County Attorney

AGENDA REVIEW

Members of the Board of Supervisors and staff reviewed the
agenda.

STATEWIDE FIRE PREVENTION CODE

A work session was held to review and discuss the
proposed Statewide Fire Prevention Code.

PROPOSED USE OF THE OLD LAUNDROMAT

A work session was held to discuss a proposal to lease the
old Laundromat building located on Lee Street to the FISH
organization.

CLOSED MEETING

Mr. Winkelmann moved to go into a closed meeting pursuant
to Virginia Code Section 2.1-344(A)(1) for discussion of personnel
matters. Ms. McCamy seconded, and the vote for the motion was
unanimous as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Harry Atherton;
Ms. Sharon McCamy; Mr. Raymond Graham

Nays: None

Absent During Vote: None

Abstention: None

Upon reconvening from the closed meeting, Mr. Winkelmann
moved to adopt the following certification. Ms. McCamy seconded,
and the vote for the motion was unanimous as follows:

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Fauquier County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by this Board of Supervisors that such closed meeting was conducted in conformity with Virginia Law; now, therefore, be it

RESOLVED this 6th day of November 2000, That the Fauquier County Board of Supervisors certifies that, to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Fauquier County Board of Supervisors.

VOTE:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Harry Atherton;
Ms. Sharon McCamy; Mr. Raymond Graham

Nays: None

Absent During Vote: None

Absent During Meeting: None

ADOPTION OF THE AGENDA

Mr. Winkelmann moved to adopt the agenda subject to the following changes. Mr. Graham seconded, and the vote for the motion was unanimous as follows:

- Delete from the Consent Agenda A Resolution to Set a Public Hearing Date to Consider Adoption of Local Enforcement of the Statewide Fire Prevention Code.
- Remove from the Regular Agenda and add to the Consent Agenda Special Exception – Edward James, Owner, Sandra Cole, Applicant; A Resolution Authorizing the Chairman of the Board of Supervisors of Fauquier County to Execute a Boundary Adjustment Agreement with the Town of Warrenton; A Resolution to Accept the Recommendations of the Parks and Recreation Board Concerning the Construction/Acquisition of Public Swimming Pools; A Resolution to Rescind a Board of Supervisors Previous Resolution to Authorize a Special Western Transportation Corridor; and A Resolution Referring to the

Planning Commission for Review of Special Permit and Special Exception Standards in Article 5 of the Fauquier County Zoning Ordinance Where Location on a Major Collector or Higher as Designated in the Comprehensive Plan is a Requirement and the Initiation of Amendments to Allow the Board of Zoning Appeals and Board of Supervisors to Examine Each Application Individually to Determine Whether the Proposed Use Has Substantial Effects on Nearby Roadways.

- Accept substitute resolutions for A Resolution to Consent to the Provision of Water and Sewer Services by the Town of Warrenton to Approximately Forty (40) Acres of Property on Bear Wallow Road in Warrenton and A Resolution to Accept the Recommendations of the Parks and Recreation Board Concerning the Construction/Acquisition of Public Swimming Pools

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Harry Atherton;
Ms. Sharon McCamy; Mr. Raymond Graham

Nays: None

Absent During Vote: None

Abstentions: None

CITIZENS TIME

There were no citizens present wishing to speak.

CONSENT AGENDA

Approval of the Minutes of the September 18, 2000 and October 2, 2000 Regular Meetings of the Board of Supervisors

A Proclamation of Commendation for SFC David Basham, Non-Commissioned Officer-in-Charge of the Harvey L. Pearson National Guard Armory

PROCLAMATION

A PROCLAMATION OF COMMENDATION FOR SFC DAVID
BASHAM,

NON-COMMISSIONED OFFICER-IN-CHARGE OF THE

HARVEY L. PEARSON NATIONAL GUARD ARMORY

WHEREAS, Sergeant First Class (SFC) David Basham has served since 1996 as the Non-Commissioned Officer-in-Charge of the Harvey L. Pearson National Guard Armory ("Armory"); and

WHEREAS, the Armory is a facility used for the enjoyment and overall benefit of the community; and

WHEREAS, in his capacity as the Non-Commissioned Officer-in-Charge, SFC Basham serves as an ex-officio member of the Fauquier County Armory Board and conducts the day-to-day operations of the Armory facility; and

WHEREAS, SFC Basham has recently been promoted by the Virginia National Guard and assigned a new area; and

WHEREAS, SFC Basham has executed his many duties and responsibilities related to the Harvey L. Pearson National Guard Armory and the Fauquier County Armory Board effectively and efficiently; and

WHEREAS, the Fauquier County Board of Supervisors wishes to express its sincere appreciation to SFC Basham for his many years of dependable service and assistance; now, therefore, be it

PROCLAIMED by the Fauquier County Board of Supervisors this 6th day of November 2000, That SFC David Basham be, and is hereby, congratulated upon the occasion of his promotion and reassignment; and, be it

PROCLAIMED FURTHER, That SFC David Basham be, and is hereby, commended for his years of service, dedication and contributions to the Harvey L. Pearson National Guard Armory and the County of Fauquier.

A Resolution to Authorize Approval of the Statewide Mutual Aid Agreements

RESOLUTION

STATEWIDE MUTUAL AID FOR EMERGENCY MANAGEMENT

WHEREAS, the Commonwealth of Virginia Emergency Services and Disaster Law of 2000, as amended, (Title 44, Chapter 3.2 of the Virginia Code) authorizes the Commonwealth and its political subdivisions to provide emergency aid and assistance in the

event of a major disaster; and

WHEREAS, the statutes also authorize the State Emergency Operations Center to coordinate the provision of any equipment, services, or facilities owned or organized by the Commonwealth or its political subdivisions for use in the affected area upon request of the duly constituted authority of the area; and

WHEREAS, this Resolution authorizes the request, provision, and receipt of inter-jurisdictional mutual aid in accordance with Title 44, Chapter 3.2 of the Code of Virginia, among political subdivisions, other authorized entities and officers within the Commonwealth; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 6th day of November 2000, That Fauquier County shall have the authority to participate in Statewide Mutual Aid in the event of emergency or disaster in accordance with the following terms and conditions, which shall be in the nature of a compact and agreement among participating entities which have adopted similar executive orders, ordinances or resolutions. This Statewide Mutual Aid program may include requests for and provision of personnel, equipment, materials, and other forms of assistance, or any combination of assistance, to any entity within the Commonwealth.

Revision to the Board of Supervisors Legislative Proposals for the 2001 General Assembly

RESOLUTION

A RESOLUTION TO DECLARE THE BOARD OF SUPERVISORS'

LEGISLATIVE PROPOSALS FOR THE 2001 GENERAL ASSEMBLY

WHEREAS, the County of Fauquier has a variety of issues and interests which require legislative action by the Virginia General Assembly; and

WHEREAS, the Virginia Association of Counties (VACo) has requested submission of such legislative proposals for consideration in the 2001 VACo Legislative Program; and

WHEREAS, the County's interests can be proposed with the united support of other localities if contained in the VACo Legislative Program; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 6th day of November 2000, That the following items be, and are hereby, adopted as the County's legislative issues for consideration by the 2001 General Assembly.

LEGISLATIVE PRIORITIES:

- **Adequate Public Facilities** - Fauquier County supports Adequate Public Facilities legislation which would permit high growth localities, as part of their subdivision or zoning ordinance, to determine whether public facilities are adequate to support the services which will be required by the proposed subdivision or rezoning.
- **Impact Fees** - Fauquier County continues to support legislation that would allow localities the option to assess impact fees for school construction and other essential government services in lieu of voluntary cash proffers.
- **School Construction Funding** - Fauquier County supports increased funding for school construction.
- **School Operational Funding** - Fauquier County supports the full funding of the State's share of the Standards of Quality, full funding of any categorical educational mandate, including pay raises, and full funding of the State's portion of the Standards of Learning relating to instructional technology.
- **Cost of Competing** - Fauquier County respectfully requests those State legislators representing Fauquier County introduce legislation to incorporate Fauquier County into the Cost of Competing School Funding Formula.
- **Local Revenue Authority**: Fauquier County opposes any measure that would eliminate or reduce any local government revenue authority.
- **Local Government Zoning and Land Use Authority** - Fauquier County opposes any further dilution of the zoning and land use regulatory authority of local governments.
- **Revenue Sharing** - Fauquier County strongly supports any legislative proposal that results in the State sharing a portion of its income tax revenues with localities (provided the legislation requires more than the replacement of existing local revenue sources) and provides local flexibility

in determining how it should be used.

- **Increased Local Authority** - Fauquier County supports legislation to provide for increased local authority in planning, zoning and revenue matters through a statutory relaxation of the Dillon Rule. The relaxation of the Dillon Rule should not, however, be accompanied by a shift of responsibility for various programs from the state government to local government.

- **Purchase of Development Rights:** Fauquier County supports increased state

funding for the purchase of conservation easements and other land

conservation needs.

A Resolution Referring to the Fauquier County Planning Commission a Proposed Ordinance Deleting Electrical Generating Plants and Facilities as a Special Exception Use in the RA Zoning District Under Section 3-320.5 of the Fauquier County Zoning Ordinance

RESOLUTION

A RESOLUTION REFERRING TO THE FAUQUIER COUNTY
PLANNING COMMISSION A PROPOSED ORDINANCE DELETING
ELECTRICAL GENERATING PLANTS AND FACILITIES AS A
SPECIAL EXCEPTION USE IN THE RA ZONING DISTRICT
UNDER SECTION 3-320.5 OF THE FAUQUIER COUNTY

ZONING ORDINANCE

WHEREAS, Section 3-320.5 of the Fauquier County Zoning Ordinance permits as a special exception use electrical generating plants and facilities in Rural Agricultural (RA) zoning districts and Industrial-Two (I-2) Zoning Districts; and

WHEREAS, the Board of Supervisors wishes to consider the removal of electrical generating plants and facilities as a special exception use in Rural Agricultural zoning districts; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 6th day of November 2000, That a proposed ordinance deleting electrical generating plants and facilities as a special exception use in Rural Agricultural zoning districts under Section 3-320.5 of the Fauquier County Zoning Ordinance be referred to the Fauquier County Planning Commission for its consideration and recommendation.

A Resolution to Endorse the Election of Supervisor Mary Lee Carter as the Secretary/Treasurer of the Virginia Association of Counties (VACo)

RESOLUTION

A RESOLUTION TO ENDORSE THE ELECTION OF SUPERVISOR MARY LEE CARTER AS THE SECRETARY/TREASURER OF THE VIRGINIA ASSOCIATION OF COUNTIES (VACO)

WHEREAS, Mary Lee Carter is a duly elected member of the Spotsylvania County Board of Supervisors; and

WHEREAS, during her term of office, Mary Lee Carter has distinguished herself as a leader in legislative matters relating to local governments serving as both Chairman and Vice Chairman of the Board of Supervisors; is currently serving as a third year member of the Virginia Association of Counties Board of Directors. and is also currently serving her ninth year as a member of the VACo Health and Human Services Steering Committee; and

WHEREAS, prior to her term of office, Mary Lee Carter served six years on the Spotsylvania County Board of Zoning appeals and retired after 35 years of service at Mary Washington College; and

WHEREAS, Mary Lee Carter has expressed her willingness to serve as Secretary/Treasurer of the Virginia Association of Counties Board of Directors; and

WHEREAS, the Fauquier County Board of Supervisors wishes to express publicly its support for the election of Mary Lee Carter as Secretary/Treasurer for the VACo Board of Directors; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 6th day of November 2000, That the Fauquier County Board of Supervisors does hereby endorse the election of Mary Lee Carter as the Secretary/Treasurer for the VACo Board of Directors.

A Resolution to Endorse the Election of Supervisor Wayne Acors as the Second Vice-President of the Virginia Association of Counties (VACo)

RESOLUTION

A RESOLUTION TO ENDORSE THE ELECTION OF SUPERVISOR WAYNE ACORS AS SECOND VICE PRESIDENT OF THE VIRGINIA ASSOCIATION OF COUNTIES (VACO)

WHEREAS, Wayne Acors is a duly elected member of the Caroline County Board of Supervisors; and

WHEREAS, during his term of office, Wayne Acors has distinguished himself as a leader in legislative matters relating to local governments serving as a member of the Caroline County Board of Supervisors since 1988 and serving as a member of the Caroline County Social Services Board for seven years; and

WHEREAS, after five years of service on the Board of Directors for the Virginia Association of Counties (VACo), Wayne Acors was given the honor of being elected to the Executive Committee as Secretary/Treasurer; and served one year as a member of the Governor's Regional Economic Development Council; and

WHEREAS, he recently spoke on behalf of the Virginia Association of Counties (VACo) before the Joint Legislative and Audit Commission (JLARC) education committee in Essex County; and

WHEREAS, prior to his term of office, Wayne Acors served as the chairman of the Caroline County Industrial Development Authority; and

WHEREAS, Wayne Acors has expressed his willingness to serve as Second Vice President of the Virginia Association of Counties Board of Directors; and

WHEREAS, the Fauquier County Board of Supervisors wishes to express publicly its support for the election of Wayne Acors as Second Vice President for the VACo Board of Directors; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 6th day of November 2000, That the Fauquier County Board of Supervisors does hereby endorse the election of Wayne Acors as the

Second Vice President for the VACo Board of Directors.

A Resolution to Authorize a Public Hearing to Receive Citizens Comments Regarding Use of FY 2000 Local Law Enforcement Block Grant Funds

RESOLUTION

A RESOLUTION TO AUTHORIZE A PUBLIC HEARING TO RECEIVE CITIZENS COMMENTS REGARDING USE OF FY 2000 LOCAL LAW ENFORCEMENT BLOCK GRANT FUNDS

WHEREAS, Fauquier County has been awarded FY 2000 Local Law Enforcement Block Grant funds in the amount of \$14,730; and

WHEREAS, a requirement of the grant is for the local recipient of the funds to provide a matching grant in the amount of \$1,473 which is included in the Sheriff's Office budget; and

WHEREAS, the Public Safety Committee has approved application of the grant as well as the local match funds; and

WHEREAS, the U.S. Department of Justice requires that the locality hold a public hearing to receive citizens' comments regarding the use of the Block Grant funds; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 6th day of November 2000, That the County Administrator be, and is hereby, authorized to advertise a public hearing to receive citizens' comments regarding use of the FY 2000 Local Law Enforcement Block Grant funds.

A Resolution to Authorize a Public Hearing to Consider Abandonment of Route 729 in Delaplane

RESOLUTION

A RESOLUTION TO AUTHORIZE A PUBLIC HEARING TO CONSIDER ABANDONMENT OF ROUTE 729 IN DELAPLANE

NOW, THEREFORE, BE IT RESOLVED by the Fauquier County Board of Supervisors this 6th day of November 2000, That the County Administrator be, and is hereby, authorized to advertise a public hearing to consider abandonment of Route 729 in Delaplane.

A Resolution to Consent to the Provision of Water and Sewer Services by the Town of Warrenton to Approximately Forty (40) Acres of Property on Bear Wallow Road in Warrenton

RESOLUTION

A RESOLUTION TO CONSENT TO THE PROVISION OF
WATER AND SEWER SERVICES BY THE TOWN OF
WARRENTON TO APPROXIMATELY FORTY (40) ACRES OF
PROPERTY
ON BEAR WALLOW ROAD, IDENTIFIED AS PIN 6974-89-4334

WHEREAS, Gold Cup, L.L.C. has acquired, by contract, the right to purchase from Peter R. and Cynthia S. Giudici property identified as approximately forty (40) acres on Bear Wallow Road, known as PIN #6974-89-4334; and

WHEREAS, Gold Cup, L.L.C., with the consent of Mr. and Mrs. Giudici, has caused a Preliminary Plat of Subdivision for fifty-five (55) single family lots to be filed with the Fauquier County Planning Commission, Preliminary Plat of Subdivision (#PPOO-M0-17); and

WHEREAS, Gold Cup, L.L.C., with the consent of Mr. and Mrs. Giudici, by letter dated July 21, 2000, to the Fauquier County Board of Supervisors, has required that Fauquier County give its consent to the extension by the Town of Warrenton of water and sewer service for fifty-five (55) single family lots on the property; and

WHEREAS, at its regularly scheduled meeting on September 28, 2000, the Planning Commission recommended approval of the aforesaid Preliminary Plat of Subdivision; and

WHEREAS, the Board of Supervisors has approved the aforesaid Preliminary Plat of Subdivision on this date; and

WHEREAS, the Town of Warrenton has agreed to provide water and sewer service to the property pursuant to a settlement agreement and court order entered by the Fauquier County Circuit Court on April 13, 2000; and

WHEREAS, Section 15.2-2143 of the Code of Virginia of 1950, as amended, provides that a locality may provide water service to a location under the jurisdiction of an adjacent locality with the consent of the adjoining locality; and

WHEREAS, Section 15.2-2126 et seq. of the Code of Virginia of 1950, as amended, provides that any person that proposes to establish or extend a sewage system shall, at least sixty (60) days prior to construction, notify the governing body in writing of the number and nature of said connections and appear before said body; and

WHEREAS, Gold Cup, L.L.C., has complied with these requirements; and

WHEREAS, the Fauquier County Zoning Ordinance at Sections 2-503 and 12-612 requires that central water and sewer systems service the proposed subdivision; and

WHEREAS, the Fauquier County Comprehensive Plan, as amended, provides that this property may be served by public utilities by the Town of Warrenton as a Phase I development that is prior to the year 2000; and

WHEREAS, properties to the west, south, east and north are served by the Town of Warrenton with water and sewer; and

WHEREAS, the Fauquier County Board of Supervisors believes that the provision of water and sewer services by the Town of Warrenton to the aforementioned property will promote the public health, safety and welfare; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 6th day of November 2000, That Fauquier County does hereby grant its consent for the provision by the Town of Warrenton of water and sewer services not to exceed fifty-five (55) residential units to property identified as PIN #6974-89-4334 provided, however, that this consent is contingent upon the approval and recordation of a Final Plat of Subdivision in substantial conformance with the aforementioned Preliminary Plat of Subdivision referenced above.

Preliminary Subdivision Application – George Thompson, Jr. –
Marshall District

No action was taken.

Preliminary Subdivision Application – Lake Whippoorwill, LLC – Scott
District

No action was taken.

Preliminary Subdivision Application – Peter Giudici and Cynthia Schlusmeyer Giudici – Marshall District

No action was taken.

Special Exception – Edward James, Owner, Sandra Cole, Applicant

RESOLUTION

A RESOLUTION APPROVING SPECIAL EXCEPTION #SE00-CR-15

EDWARD JAMES, OWNER, AND SANDRA COLE, APPLICANT

WAIVER TO THE REQUIREMENT FOR PUBLIC STREETS IN

RESIDENTIAL, RA AND RC ZONING DISTRICTS

WHEREAS, Edward James, owner, and Sandra Cole, applicant, have applied for a special exception under Section 3-329 of the Zoning Ordinance in order to waive the Type I Private Street requirement and a public hearing was duly advertised before the Fauquier County Planning Commission; and

WHEREAS, on July 27, 2000, the Fauquier County Planning Commission held a public hearing on the special exception request of Edward James, owner, and Sandra Cole, applicant; and

WHEREAS, at its meeting on July 27, 2000, the Fauquier County Planning Commission approved a motion recommending approval of the requested special exception subject to certain conditions; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 6th day of November 2000, That the Board of Supervisors does hereby approve the special exception request of Edward James, owner, and Sandra Cole, applicant, for a waiver to the Type I Private Street requirement subject to the following conditions:

1. The driveway shall be constructed to a minimum width of 12 feet with grass shoulders.
2. Appropriately sized ditches along the driveway shall be constructed.
3. Appropriately sized culvert shall be installed at the point where the proposed driveway crosses the swale and at the entrance

onto Route 643.

4. Access to the parcel shall be at the location shown on the amended special exception plat. This location was approved by VDOT.

5. The applicant shall obtain proper land disturbing permits from the County Engineer if the area to be disturbed by driveway construction is greater than 10,000 sq. ft. and is completed prior to the issuance of a building permit.

6. Prior to subdividing the property, a road maintenance agreement applicable to all users of the easement will be executed.

7. The applicant will provide a fifty (50) foot easement across the frontage of his property from the applicant's proposed entrance on Meetze Road (Route 647) to Wilbur Burton's existing easement which runs along the northern border of the applicant's property.

A Resolution Authorizing the Chairman of the Board of Supervisors of Fauquier County to Execute a Boundary Adjustment Agreement with the Town of Warrenton

RESOLUTION

A RESOLUTION AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS OF FAUQUIER COUNTY TO EXECUTE A BOUNDARY ADJUSTMENT AGREEMENT WITH THE TOWN OF WARRENTON

WHEREAS, Wal-Mart Real Estate Business Trust is the owner of a certain tract of land containing approximately 16.98 acres, more or less, said parcel being more particularly described as PIN 6983-53-7787 (hereinafter the "Wal-Mart parcel") as shown on the Geographic Information Systems plat filed in the Board of Supervisors agenda package; and

WHEREAS, a portion of Business Routes 15/29/17 is located in the County of Fauquier as shown on the aforesaid Geographic Information Systems plat filed in the Board of Supervisors agenda package; and

WHEREAS, the County and Town wish to adjust that portion of Virginia Business Routes 15/29/17 into the corporate limits of the Town of Warrenton, said portion being more particularly described on the aforesaid Geographic Information Systems plat filed in the Board

of Supervisors agenda package; and

WHEREAS, on March 2, 2000 and March 9, 2000 the County of Fauquier and Town of Warrenton jointly published notice of their intention to adopt a Boundary Adjustment Agreement relocating the aforesaid Wal-Mart parcel within the corporate limits of the Town of Warrenton, a copy of which agreement is filed in the Board of Supervisors agenda package; and

WHEREAS, on March 13, 2000 the Board of Supervisors of Fauquier County and the Town Council for the Town of Warrenton held a joint public hearing to receive citizen comment on the proposed boundary adjustment agreement; and

WHEREAS, the Board of Supervisors, by the adoption of this resolution, has determined it to be in the best interest of the citizens of this County to adjust the Wal-Mart parcel and that portion of Virginia Business Routes 15/29/17 into the corporate limits of the Town of Warrenton; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 6th day of November 2000, That the Chairman of the Fauquier County Board of Supervisors be, and is hereby, authorized to execute a Boundary Adjustment Agreement with the Town of Warrenton locating the Wal-Mart Real Estate Business Trust tract of land containing approximately 16.98 acres, more or less, said parcel being more particularly described as PIN 6983-53-7787 and that portion of Virginia Business Routes 15/29/17 all as show on the Geographic Information Systems plat within the corporate limits of the Town of Warrenton; and, be it

RESOLVED FURTHER, That the County Administrator and the County Attorney are hereby authorized and directed to take all actions necessary to locate the Wal-Mart parcel within the corporate limits of the Town of Warrenton including, but not limited to, the preparation, filing and prosecution, jointly with the Town of Warrenton, of a Petition to adjust the boundaries of the County of Fauquier and the Town of Warrenton to include the Wal-Mart parcel and that portion of Virginia Business Routes 15/29/17, as shown on the Geographic Information Systems plat, within the corporate limits of the Town of Warrenton.

A Resolution to Accept the Recommendations of the Parks and Recreation Board Concerning the Construction/Acquisition of Public Swimming Pools

RESOLUTION

A RESOLUTION TO ACCEPT THE RECOMMENDATIONS OF THE
PARKS AND RECREATION BOARD CONCERNING THE
CONSTRUCTION/ACQUISITION OF PUBLIC SWIMMING POOLS

WHEREAS, the Parks and Recreation Board has conducted a Recreational Needs Assessment which identified swimming facilities as the number one recreational need in Fauquier County; and

WHEREAS, the Parks and Recreation Board has received numerous public comments supporting the construction of public swimming facilities as part of its annual budget and capital improvements planning processes; and

WHEREAS, on September 6, 2000 the Parks and Recreation Board voted unanimously to recommend to the Board of Supervisors that funds be set aside for four swimming pools to be built or acquired over the next fifteen years; and

WHEREAS, the Parks and Recreation Board, pursuant to this recommendation, amended its Capital Improvements Plan submission on October 19, 2000 to reflect the construction of an outdoor facility at Vint Hill by FY 2002; the construction of an indoor facility in cooperation with the Town of Warrenton by FY 2004; the construction of an outdoor facility in Southern Fauquier by FY 2010; and the construction or acquisition of an outdoor facility in the Marshall Magisterial District by FY 2012; and

WHEREAS, the Board of Supervisors has received the recommendations of the Parks and Recreation Board and is supportive of the Parks and Recreation Board's recommendations to meet the swimming-related facility needs of the citizens of Fauquier County; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 6th day of November 2000, That the Fauquier County Board of Supervisors does hereby accept the recommendations of the Parks and Recreation Board pertaining to the construction of four swimming pool facilities over the next fifteen years and does further express its intent to allocate \$1,300,000 (adjusted for inflation) to each project from the general tax revenues or whatever other funding source(s) may be available, as resources allow, in a manner generally consistent with the project funding schedule below; provided that future allocation of capital funding for any pool project shall be based on a formal and complete assessment of that project's operating cost impact on the County budget to be completed by County staff and

reviewed and formally approved by the Board of Supervisors during the regular annual budget process.

Fiscal Year	Eastern Region	Central Region	Southern Region	Northern Region
Prior Year Balance	\$500,000	\$0	\$0	\$0
2002	\$800,000	\$0	\$0	\$0
2003	\$0	\$721,000	\$0	\$0
2004	\$0	\$636,400	\$0	\$0
2005	\$0	\$0	\$0	\$0
2006	\$0	\$0	\$112,550	\$0
2007	\$0	\$0	\$347,782	\$0
2008	\$0	\$0	\$358,215	119,405
2009	\$0	\$0	\$368,962	245,974
2010	\$0	\$0	\$380,031	253,354
2011	\$0	\$0	\$0	521,909
2012	\$0	\$0	\$0	\$537,566
Total	\$1,300,000	\$1,357,400	\$1,567,540	\$1,678,208

A Resolution to Rescind a Board of Supervisors Previous Resolution to Authorize a Special Western Transportation Corridor

RESOLUTION

A RESOLUTION TO RESCIND A BOARD OF SUPERVISORS

PREVIOUS RESOLUTION TO AUTHORIZE A

SPECIFIC WESTERN TRANSPORTATION CORRIDOR

WHEREAS, on April 1, 1997, the Fauquier County Board of Supervisors approved a resolution endorsing the Western Transportation Corridor recommendation of the ad hoc Fauquier/Prince William/Stafford Committee as the official Fauquier County position regarding an acceptable Western Transportation Corridor Alignment and that, if for any reason, the Virginia Department of Transportation and/or the Commonwealth of Virginia do not adopt the proposed alignment of the three County ad hoc Committee then, the "NO BUILD" alternative becomes the default position of Fauquier County; and

WHEREAS, the Virginia Department of Transportation is preparing to conduct an Environmental Impact Study on the Western Transportation Corridor; and

WHEREAS, it is the position of Fauquier County that the Western Transportation Corridor is not in conformance with the County's Comprehensive Plan and other land use policies; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 6th day of November 2000, That the April 1, 1997 Board of Supervisors resolution on the Western Transportation Corridor is hereby rescinded and that the Fauquier County Board of Supervisors opposes any alignment of the Western Transportation Corridor which traverses Fauquier County.

A Resolution Referring to the Planning Commission for Review of Special Permit and Special Exception Standards in Article 5 of the Fauquier County Zoning Ordinance Where Location on a Major Collector or Higher as Designated in the Comprehensive Plan is a Requirement and the Initiation of Amendments to Allow the Board of Zoning Appeals and Board of Supervisors to Examine Each Application Individually to Determine Whether the Proposed Use Has Substantial Effects on Nearby Roadways

RESOLUTION

A RESOLUTION REFERRING TO THE PLANNING COMMISSION FOR REVIEW OF SPECIAL PERMIT AND SPECIAL EXCEPTION STANDARDS IN ARTICLE 5 OF THE FAUQUIER COUNTY ZONING ORDINANCE WHERE LOCATION ON A MAJOR COLLECTOR OR HIGHER AS DESIGNATED IN THE COMPREHENSIVE PLAN IS A REQUIREMENT AND THE INITIATION OF AMENDMENTS TO ALLOW THE BOARD OF ZONING APPEALS AND BOARD OF SUPERVISORS TO EXAMINE EACH APPLICATION INDIVIDUALLY TO DETERMINE WHETHER THE PROPOSED USE HAS SUBSTANTIAL EFFECTS ON NEARBY ROADWAYS

WHEREAS, the Fauquier County Board of Supervisors has determined by the passage of this resolution that it wishes to review Article 5 (Special Permits and Special Exceptions) of the Fauquier County Zoning Ordinance and consider amendments to allow the Board of Zoning Appeals and the Board of Supervisors to have the ability to consider road standard requirements for special permits and special exceptions on a case by case basis now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 6th day of November, 2000, that the proposed ordinance to amend Article 5 of the Fauquier County Zoning Ordinance be, and is hereby, referred to the Fauquier County Planning Commission for appropriate consideration and action.

APPOINTMENTS

By unanimous consent, the following appointments were approved:

- Steve Ralls was appointed to the Agricultural Advisory Committee to serve an unexpired term to December 31, 2003.
- Richard Robison was reappointed to the Architectural Review Board for a four-year term to December 31, 2004
- Max Harway was reappointed to the Community Services Board to correct the expiration date of his term to December 31, 2003.
- Richard Robison was reappointed to the Planning Commission for a four-year term to December 31, 2004.
- Jimmy Timberlake was appointed to the Historic Resources Committee to serve an unexpired term to December 31, 2003.
- Marvin Echols was appointed to the Affordable Housing Committee to serve an unexpired term to December 31, 2003.

SUPERVISORS TIME

- Mr. Graham reminded everyone to vote on Tuesday, November 7.
- Mr. Lee informed Board members that the Attorney General had written a letter inviting local elected officials to participate in a youth mentoring program.
- Mr. Lee announced that Board members and senior staff would be attending the VACo annual meeting from November 12 through 14.

SECONDARY ROADS IMPROVEMENT BUDGET FOR FY 2001-2002 AND THE FY 2001-2002 THROUGH 2006-2007 SIX YEAR PLAN FOR SECONDARY ROADS

A joint public hearing with the Virginia Department of

Transportation was held to receive citizen's comments on the Secondary Roads Improvement Budget for FY 2001-2002 and the FY 2001-2002 through 2006-2007 Six-Year Plan for Secondary Roads. The following persons spoke:

- Ron King, Lee District, requested Nightingale Lane be considered for rural addition.
- John King, Lee District, requested Nightingale Lane be considered for rural addition.
- Hal McCarty, Marshall District, requested paving for Ada Road.
- Ed Palmer, Marshall District, requested reconstruction and paving for Moss Hollow Road.
- Kitty Smith, Marshall District, said that the names Turkey Run Drive and Turkey Run Road were very similar and that consideration should be given to changing one of the names. Dr. Smith also asked that the use of "road bind" as an alternative to paving be considered.

No one else spoke. The public hearing was closed. Mr. Atherton moved to postpone a decision until the Transportation Committee makes a recommendation. Ms. McCamy seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Harry Atherton; Ms. Sharon McCamy; Mr. Raymond Graham

Nays: None

Absent During Vote: None

Abstention: None

PROPOSED INCREASE TO THE FAUQUIER COUNTY FY 2001 BUDGET IN THE AMOUNT OF \$3,586,207

A public hearing was held to consider increasing the Fauquier County FY 2001 budget in the amount of \$3,586,207. No one spoke. The public hearing was closed. Mr. Winkelmann moved to adopt the following resolution. Since this matter was forwarded from the Finance Committee, no second was required. The vote for the motion was unanimous as follows:

***Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Harry Atherton;
Ms. Sharon McCamy; Mr. Raymond Graham***

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION TO TRANSFER & APPROPRIATE FUNDS

WHEREAS, the Board of Supervisors is charged by the Code of Virginia with the operation of an annual budget for Fauquier County; and

WHEREAS, this annual budget is a plan of how funds received by the County will be used to meet the needs of the citizens of the County; and

WHEREAS, during the course of the fiscal year certain events occur which necessitate changing the budget plan by increasing a department's total budget; and

WHEREAS, funds needed to increase a department's budget must come from internal adjustments or from an outside source such as State, Federal, grant or other local sources such as the County's Reserve for Contingency; and

WHEREAS, the Sheriff's Office requested appropriation of \$832 from Federal DEA Group 33 Share of Forfeiture Proceeds, \$3,077 from Federal Confiscated Property, \$269 from Federal US Customs, \$1,406 from State Seizures, and \$100,000 for vehicles from Fund Balance - Carryover; and

WHEREAS, the Commonwealth Attorney's Office requested appropriation of \$890 in State funding from the Asset Sharing Program and \$15,500 for office furniture from Fund Balance - Carryover funding; and

WHEREAS, the Finance Committee requested \$1,500,000 from the General County Fund Balance to support \$460,000 in a Capital Improvement Program (CIP) Fund contingency reserve for swimming pool construction at Vint Hill Farms and \$40,000 for Parks and Recreation to contract a conceptual design study, \$250,000 for

Economic Opportunity contingency fund in the CIP Fund and \$750,000 in the CIP Fund for the road to the new landfill which is to be repaid by the Landfill Enterprise Fund when the project is completed at a rate agreed on by the Board of Supervisors; and

WHEREAS, the School Division requested appropriation of \$55,465 for the State Remediation Grant and \$54,178 for State SOL Training from Fund Balance – Carryover funding; and

WHEREAS, Information Resources requested \$180,000 for computer mainframe replacement from Fund Balance - Carryover funding; and

WHEREAS, General Services requested \$66,804 be appropriated for vehicle replacement from Fund Balance - Carryover funding; and

WHEREAS, Community Development requested appropriation of \$1,362 for Planning District 9 Rural Transportation Planning, \$10,500 for Engineering and Consulting Support Services, \$8,501 for Consulting Services for Commercial Wireless, \$25,000 for Historical Resources Plan Grant match, \$48,125 for a temporary part time Planner to perform duties for two of the Top 10 Board of Supervisors' projects from Fund Balance – Carryover and \$5,500 for Historic Resources from Contribution funding; and

WHEREAS, the Library requested appropriation of \$37,138 for Marshall Branch expansion from Fund Balance – Carryover and \$21,000 for an Outreach Van from State funding; and

WHEREAS, Parks and Recreation requested \$14,257 from Contingency Reserve and \$4,800 from other revenue for operational costs at the old Central Elementary, \$35,000 for late billings and construction needs from Fund Balance – Carryover; and

WHEREAS, the Clerk of the Circuit Court requested \$2,000 for a computer from Fund Balance – Carryover funding; and

WHEREAS, Joint Communications requested \$10,539 for Radio Repair and Equipment from Fund 220 Fund Balance – Carryover; and

WHEREAS, Emergency Services – Administration requested \$2,700 for Laptop Computer from Fund Balance – Carryover; and

WHEREAS, the Office of the County Administrator requested

\$9,619 for Technology Equipment from Fund Balance – Carryover; and

WHEREAS, the Office of Comprehensive Services requested \$26,356 for support of the Healthy Family's Program and \$31,786 for a Mini-Grant Program from Fund Balance – Carryover; and

WHEREAS, Social Services requested \$8,882 for the local share of the State and Local Hospitalization fund, \$2,000 for a visitation room, and \$13,540 Federal match and \$13,540 from Fund Balance – Carryover for a limited time Foster Care Prevention Social Worker position; and

WHEREAS, the Commissioner of the Revenue requested \$16,500 for E-Government Technology Equipment from Fund Balance – Carryover; and

WHEREAS, the Treasurer's Office requested \$8,554 for various operating issues from Fund Balance – Carryover; and

WHEREAS, the Budget Office requested \$718,346 from the Contingency Reserve Fund Balance – Carryover to the FY 2001 Contingency Reserve now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 6th day of November 2000, That the sum of \$3,538,350 be carried over, transferred, or appropriated and hereby approved as follows:

Source	FROM		TO	
	Code	Amount	Department	Code
Federal Funds	3-100-331000-0040	\$120	Sheriff's Office	4-100-031230-8201
Federal Funds	3-100-331000-0040	\$170	Sheriff's Office	4-100-031230-8201
Federal Funds	3-100-331000-0040	\$542	Sheriff's Office	4-100-031230-8201

Fund Balance - Carryover	3-100-419000-0010	\$100,000	Sheriff's Office	4-100-031200-8205
Fund Balance - Carryover	3-100-419000-0010	\$3,077	Sheriff's Office	4-100-031245-8201
	100-419000-0010			
Fund Balance - Carryover		\$269	Sheriff's Office	4-100-031235-8201
Fund Balance - Carryover	3-100-419000-0010	\$1,406	Sheriff's Office	4-100-031240-8201
Fund Balance - Carryover	3-100-419000-0010	\$890	Commonwealth Attorney's Office	4-100-022110-5879
Fund Balance - Carryover	3-100-419000-0010	\$15,500	Commonwealth Attorney's Office	4-100-022100-8202
Federal Funding	3-100-333000-0010	\$484,384	CIP	4-302-91500-3120
				4-302-91500-3140
				4-302-91500-3141
				4-302-91500-3150
				4-302-91500-3161
				4-302-91500-3170
				4-302-91500-5100

				4-302-91500-5120
				4-302-91500-5130
				4-302-91500-6001
				4-302-91500-6049
				4-302-91500-6052
				4-302-91500-8204
				4-302-91500-8215
				4-302-91500-8216
				4-302-91500-8217
Fund Balance - Carryover	3-100-419000- 0010	\$500,000	Swimming Pool	4-302-94120-8223
				4-302-94120-3140
Fund Balance - Carryover	3-100-419000- 0010	\$250,000	Economic Opportunity	4-302-94130-9999
Fund Balance - Carryover	3-100-419000- 0010	\$750,000	Environmental Svs	4-302-TBD
Fund Balance - Carryover	3-100-419000- 0010	\$55,465	School Division	4-205-61310- 6029-200-001-000
Fund Balance - Carryover	3-100-419000- 0010	\$54,178	School Division	4-205-61310- 5541-200-001-000
Fund Balance - Carryover	3-100-419000- 0010	\$180,000	Information Resources	4-302-094107- 8207

Fund Balance - Carryover	3-100-419000-0010	\$66,804	General Services	4-100-043412-8207	
Fund Balance - Carryover	3-100-419000-0010	\$1,362	Community Development	4-100-081400-3170	
Fund Balance - Carryover	3-100-419000-0010	\$10,500	Community Development	4-100-081400-3170	
Fund Balance - Carryover	3-100-419000-0010	\$8,501	Community Development	4-100-081200-3160	\$8,501
Fund Balance - Carryover	3-100-419000-0010	\$25,000	Community Development	4-100-081200-3160	\$25,000
Fund Balance - Carryover	3-100-419000-0010	\$48,125	Community Development	4-100-081200-1302	\$44,705
				4-100-081200-2100	\$3,420
Historic Resources	3-100-189900-0061	\$5,500	Community Development	4-100-081200-3160	\$5,500
Fund Balance - Carryover	3-100-419000-0010	\$37,138	Library	4-302-094425-8215	\$37,138

State Funding	3-100- 244600- 0009	\$21,000	Library	4-100- 073100- 8205	\$21,000
Contingency Reserve	4-100- 091400- 9618	\$14,257	Parks & Recreation	4-150- 300610- 1301	\$5,834
Other Revenue		\$500			\$446
	3-150- 321100- 0020	\$2,500		4-150- 300610- 2100	\$3,660
		\$100			\$280
	3-150- 321100- 0056	\$1,200		4-150- 321100- 1302	\$315
		\$500			\$320
	3-150- 321100- 0060			4-150- 321100- 2100	\$1,000
					\$1,000
	3-150- 321200- 0013			4-150- 321100- 3110	\$1,000
					\$500
	3-150- 321200- 0016			4-150- 321100- 3115	\$998
				4-150- 321100- 3160	\$50
					\$200
				4-150- 321100- 3161	\$150
					\$250
				4-150- 321100- 3500	\$800
					\$200
				4-150- 321100- 3600	\$100
					\$1,000
				4-150- 321100- 5230	\$900
				4-150- 321100- 6001	\$54
				4-150- 321100- 6004	
				4-150- 321100-	

				6008	
				4-150-321100-6011	
				4-150-321100-6013	
				4-150-321100-6025	
				4-150-321100-6033	
				4-150-321100-6047	
				4-150-321200-6015	
				4-150-321233-6046	
Fund	3-100-	\$35,000	Parks &	4-150-	\$1,018
Balance -	419000-		Recreation	761300-	
Carryover	0010			3160	\$149
				4-150-522300-5130	\$45
					\$221
				4-150-711300-3161	\$438
					\$57
				4-150-711200-6015	\$210
					\$917
				4-150-711690-6013	\$105
				4-150-711100-6001	\$665
					\$855
				4-150-731800-3160	\$175
					\$456
				4-150-711100-	\$798

				3160	\$158
				4-150-761800-3160	\$170
				3160	\$424
				4-150-786800-3160	\$1,639
					\$26,500
				4-150-781800-3160	
				4-150-782800-3160	
				4-150-786800-3160	
				4-150-784800-3160	
				4-150-711100-5230	
				4-150-121200-6015	
				4-150-371800-3313	
				4-150-900003-6001	
				4-302-094715-8215	
Fund Balance - Carryover	3-100-419000-0010	\$2,000	Clerk of Circuit Court	4-100-021600-8201	\$2,000
Fund Balance - Carryover	3-220-419000-0010	\$10,539	Joint Communications	4-220-031410-8203	\$10,539
Fund	3-100-	\$2,700	Emergency	4-100-	\$2,700

Balance - Carryover	419000- 0010		Services – Administration	032410- 8207	
Fund Balance - Carryover	3-100- 419000- 0010	\$9,619	County Administrator	4-100- 012110- 8202	\$9,619
Fund Balance - Carryover	3-100- 419000- 0010	\$58,142	Comprehensive Services	4-100- 081600- 5695	\$26,356
				4-100- 091400- 9612	\$31,786
Fund Balance - Carryover	3-100- 419000- 0010	\$8,882	Social Services	4-100- 053120- 5712	\$8,882
Fund Balance - Carryover	3-100- 419000- 0010	\$2,000	Social Services	4-100- 053110- 8202	\$2,000
Fund Balance - Carryover	3-100- 419000- 0010	\$13,540	Social Services	4-100- 053110- 1101	\$21,336
		\$13,540			\$1,632
Federal Funds	3-100- 335000- 0010			4-100- 053110- 2100	\$1,960
					\$1,984
				4-100- 053110- 2210	\$168
				4-100- 053110- 2310	
				4-100- 053110- 2400	
Fund Balance - Carryover	3-100- 419000- 0010	\$16,500	Commissioner of the Revenue	4-302- 094102- 8207	\$16,500

Fund Balance - Carryover	3-100- 419000- 0010	\$8,554	Treasurer's Office	4-100- 012410- 8202	\$800
					\$600
				4-100- 012410- 8212	\$6,554
					\$600
				4-100- 012410- 6023	
				4-100- 012410- 8202	
Fund Balance - Carryover	3-100- 419000- 0010	\$718,346	Budget Office	4-100- 091400- 9618	\$718,346
TOTAL		<u>\$3,538,350</u>			<u>\$3,538,350</u>

**SPECIAL EXCEPTION – VINT HILL ECONOMIC DEVELOPMENT
AUTHORITY, OWNER/APPLICANT**

A public hearing was held to consider a request for special exception approval for Vint Hill Economic Development Authority, Owner/Applicant, to waive the public street requirement on 28.4 acres (Land Bay F) of the Vint Hill Farms Subdivision. The property is located east of Kennedy Road (Route 652) and south of Vint Hill Road (Route 215), PIN #7915-75-9779-000 and PIN #7915-88-7154-000, Cedar Run District. Owen Bludau, Executive Director of the Vint Hill Economic Development Authority, spoke in favor of the request. Kitty Smith requested that the Board postpone action on this request. She said that the homeowners association would own the roads and VDOT might not take care of the maintenance because the utilities would be under the road. No one else spoke. The public hearing was closed. Mr. Winkelmann moved to postpone a decision until the November 20, 2000 meeting in order to prepare an additional condition dealing with road maintenance. After discussion, Mr. Winkelmann withdrew his motion. Mr. Graham then moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

***Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Harry Atherton;
Ms. Sharon McCamy; Mr. Raymond Graham***

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION APPROVING SPECIAL EXCEPTION #SE00-CR-19

**VINT HILL ECONOMIC DEVELOPMENT AUTHORITY,
OWNER/APPLICANT,**

WAIVING THE REQUIREMENT FOR PUBLIC STREETS IN

RESIDENTIAL ZONING DISTRICT

**WHEREAS, the Vint Hill Economic Development Authority,
owner/applicant, has applied for a special exception under Section 29**

of the Zoning Ordinance to waive the requirement for public streets and a public hearing was duly advertised before the Fauquier County Planning Commission; and

WHEREAS, on September 28, 2000, the Fauquier County Planning Commission held a public hearing on the special exception request of the Vint Hill Economic Development Authority, owner/applicant; and

WHEREAS, at its meeting on September 28, 2000, the Fauquier County Planning Commission approved a motion recommending approval of the requested special exception subject to certain conditions; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 6th day of November 2000, That the Board of Supervisors does hereby approve the special exception request of the Vint Hill Economic Development Authority for a waiver of the requirement for public streets subject to the following conditions:

1. The private streets in the subdivision shall have direct access to one or more public streets, or to a street that has been bonded for construction and has been dedicated to public use.
2. The road plans shall be prepared in a manner that meets all applicable VDOT design standards.
3. The private streets and appurtenances to the public streets shall comply with all VDOT standards, with the sole exception that utilities may be installed in the rights-of-way.
4. The applicant shall conduct all inspections during construction in a manner and at intervals that satisfy VDOT standards necessary to permit roads to be accepted into the State system.
5. Following completion of construction, the private streets shall be maintained at all times in a condition adequate to satisfy VDOT standards that exist at the time of construction for public rights-of-way.
6. Fee Simple Title to the private streets in the 28.4 acres referred to as Land Bay F shall be vested in a homeowner's association which shall have the legal authority to dedicate the streets to the Virginia Department of Transportation.

7. The homeowner's association established by the applicant shall have the legal authority and adequate legal enforcement mechanisms within its charter and covenants to provide for the perpetual maintenance of the streets. The homeowner's association will prohibit any encroachments in the rights-of-way and require removal of any encroachments constructed in the rights-of-way.

**SPECIAL EXCEPTION – TERRY AND MARCIA MOFFAT,
OWNERS/APPLICANTS**

A public hearing was held to consider a request for special exception approval for Terry and Marcia Moffat, Owners/Applicant, to allow the operation of a bed and breakfast. The property is located on Crest Hill Road (Route 647) northeast of its intersection with Leeds Manor Road (Route 688), near Jerry's Shop, PIN #6937-32-5112-000, Marshall District. Marge Moffat spoke in favor of the request. No one else spoke. The public hearing was closed. Mr. Atherton moved to adopt the following resolution. Ms. McCamy seconded, and the vote for the motion was unanimous as follows:

***Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Harry Atherton;
Ms. Sharon McCamy; Mr. Raymond Graham***

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION APPROVING SPECIAL EXCEPTION #SE00-M026

TERRY AND MARCIA MOFFAT, OWNERS/APPLICANTS,

OPERATION OF A BED AND BREAKFAST

WHEREAS, Terry and Marcia Moffat, owners/applicants, have applied for a special exception under Section 3-303.2 of the Zoning Ordinance to operate a bed and breakfast and a public hearing was duly advertised before the Fauquier County Planning Commission; and

WHEREAS, on September 28, 2000, the Fauquier County Planning Commission held a public hearing on the special exception request of Terry and Marcia Moffat, owners/applicants; and

WHEREAS, at its meeting on September 28, 2000, the Fauquier County Planning Commission approved a motion recommending approval of the requested special exception subject to certain conditions; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 6th day of November 2000, That the Board of Supervisors does hereby approve the special exception request of Terry and Marcia Moffat, owners/applicants, to operate a bed and breakfast subject to the following conditions:

1. Special exception approval to operate a bed and breakfast shall be granted specifically for the parcel identified by PIN #6937-32-5112-000 and shall be limited to the existing main house, guest house, and garage apartment as indicated on the plat prepared by James G. Butler, Jr.
2. There shall be no more than five (5) guestrooms occupied at any one time.
3. The applicant shall maintain at all times occupancy permits for all dwellings and guest units, Health Department approvals, and proof that State fire codes are met.
4. The applicant shall conform at all times to County Health Department regulations regarding wastewater disposal facilities, wells and other pertinent bed and breakfast and restaurant regulations.
5. Prior to issuance of a zoning permit, the applicant shall obtain all necessary Health Department permits.
6. The exterior appearance of the buildings on the property shall not be altered from that of a dwelling or normal residential accessory structure.
7. The entrance shall meet all VDOT requirements.
8. A dustless surface waiver shall be granted with site plan approval.
9. The special exception shall expire five (5) years from the date of approval by the Board of Supervisors, with administrative renewals by the Zoning Administrator after the

five (5) year period.

With no further business, the meeting was adjourned.

I hereby certify that this is a true and exact record of actions taken by the Fauquier County Board of Supervisors on November 6, 2000.

G. Robert Lee

Clerk